



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

January 18, 2006

1. Bill Number and Sponsor:

Senate Bill (SB) 857, as passed the Senate
Senator Liz Brater et al.

2. Purpose:

The bill amends the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399) to incorporate the resource protections established in Part 327, Great Lakes Preservation, of the Natural Resources and Environmental Protection Act through tie-barred bills.

3. How This Legislation Impacts Current Programs in the Department:

The Department will need to review a proposal for a community water supply involving a new or increased withdrawal of more than two million gallons per day to determine if it will create an adverse resource impact.

4. Introduced at Agency Request:

No.

5. Agency Support:

Support.

6. Justification for the Department's Position:

Reviewing adverse impacts to natural resources for new community water system withdrawals will provide additional environmental protection and can likely be accomplished with limited additional resources. The bill recognizes the priority needs of community water supply systems where alternatives are not available and some adverse impacts may result.

7. State Revenue/Budgetary Implications:

The tie-barred SB 850 creates an annual revenue stream of approximately \$300,000 to \$500,000. Those funds may be approximately commensurate with initial staffing and program expenses, including those necessary to review community water supply systems.

8. Implications to Local Units of Government:

Local units of government must apply for and obtain a construction permit before commencing construction of a public water system or any alteration, addition, or improvement to a waterworks system. This bill will add costs to the application for construction permits and will result in a longer review interval between the time of submittal and issuance of the permit.

9. Administrative Rules Implications:

The department may have to promulgate new administrative rules under Part 13, Construction Plans and Specifications and Permits, of Act 399 to provide detail on how each type of waterworks system construction project will be evaluated for adverse resource impacts.

10. Other Pertinent Information:

This legislation is tie-barred to four related bills:

SB 850: Establishes a program for management of large quantity withdrawals.

SB 851: Assigns to the Groundwater Conservation Advisory Council the responsibility to design the assessment tool.

SB 852: Changes the reporting requirements for water users.

SB 854: Creates a voluntary system for avoiding and addressing adverse resource impacts among water users within a watershed and establishes limited order authority for the Department to prevent adverse resource impacts.



Steven E. Chester, Director
Department of Environmental Quality